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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God of Heaven and Earth, today teach our lawmakers to do things Your way, embracing Your precepts and walking in Your path. Make them peaceful and powerful instruments for goodness in our Nation and world. Remind them that the narrow and difficult road leads to life and few find it, but You honor those who honor You.

As our Senators receive guidance from You and follow Your leading, replace anxiety with calm, confusion with clarity, and despair with hope. Give them attentive hearts and open minds as they seek to find in the diversity of ideas what is best for our Nation and world. May peace become the hallmark of their work.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

TERROR ATTACK IN THE UNITED KINGDOM

Mr. MCCONNELL. Mr. President, I would like to start by taking a moment to offer sincere condolences to our friends in the United Kingdom who

lost loved ones in yesterday's horrific terror attack. Our prayers are with those who were severely injured, as well, and we wish them a swift and full recovery.

This act of terror occurred on the 1-year anniversary of the devastating attack in Brussels, and as Prime Minister May pointed out, the location of the attack seems to be no coincidence. "The terrorist chose to strike at the heart of the [the UK's] capital city," Prime Minister May said yesterday, "where people of all nationalities, religions and cultures come together to celebrate the values of liberty, democracy and freedom of speech."

I know I speak on behalf of my colleagues when I say that our thoughts are also with those who were in Parliament at the time of the attack, serving their country much in the same way that we do in this Chamber every day.

Of course, I want to also acknowledge the law enforcement personnel and first responders who courageously put their lives on the line for their fellow citizens. We know that the capable security services of the British, working in cooperation with our own, will continue to investigate whether this was a radicalized individual actor or a terrorist connected to an ISIL external operation.

Our friends face difficult days ahead as they begin to heal from this senseless act, but as they do so, we want them to know that the United States stands with them as a friend, as a cherished ally and as a united partner against terror.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MCCONNELL. Now, Mr. President, on the business before the Senate today, recently a Washington Post article noted that Congress has undertaken the "most ambitious regulatory rollback since Reagan." Already, we

passed 10 resolutions under the Congressional Review Act to end Obama administration regulations that slow economic growth, threaten jobs, and hold our country back. As one study estimates, our action to overturn these regulations could save Americans nearly \$4 billion and more than 4 million hours of paperwork.

This week, we have continued our regulatory relief efforts, and today we will have an opportunity to send another to the President's desk. This resolution would overturn a costly and confusing Federal communications rule. The regulation in question makes the internet an uneven playing field, increases complexity, discourages competition, innovation, and infrastructure investment. President Obama's own legal mentor has expressed serious doubts about the rule's constitutionality under the First Amendment.

Senator FLAKE has long been a leader on tackling this issue. Last year he voiced his worries about the regulations in a letter to the FCC and held a hearing regarding the legality of such regulations. Now he has sponsored a CRA resolution that will allow us to overturn the regulations and protect consumers. As Senator FLAKE has pointed out:

The FCC's midnight regulation does nothing to protect consumer privacy. It is unnecessary, confusing and adds yet another innovation-stifling regulation to the internet.

That is why he proposed this CRA resolution, which he has explained "empowers consumers to make informed choices on if and how their data can be shared."

I thank my friend from Arizona for taking on this important issue and putting forth legislation to address it. I look forward to the Senate passing it soon.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Mr. President, this week Supreme Court nominee Judge

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Neil Gorsuch came before the Senate Judiciary Committee for his confirmation hearing. Senators from both sides had the opportunity to ask him questions. Both they and the American people were able to learn more about Judge Gorsuch, about the type of jurist he has been and will continue to be, about his character and temperament, and about his aptitude to serve on the Supreme Court.

His answers reflected what we have all come to find about the judge over the past several weeks. He has sterling credentials and a reputation as a fair and impartial jurist. He is also known to be a gifted writer, who is smart, kind, humble, and independent.

As I mentioned yesterday, his impressive testimony has caught the attention of publications, news outlets, and commentators from across the country and across the political spectrum. In a panel discussion just yesterday, an MSNBC commentator noted Judge Gorsuch's "masterful performance"—one that he called a "tour de force."

Another panelist and NBC correspondent had a complimentary view of the nominee, as well, noting that "in terms of character, in terms of professionalism, [and in terms of] integrity, there wasn't, I would argue, anything, or hardly anything there to criticize Gorsuch on."

The Wall Street Journal noted that Gorsuch "stressed his independence" throughout the hearing. The Detroit news echoed these observations and has urged the Senate to confirm him. It editorialized that "[a]fter two days of often hostile hearings, Supreme Court nominee Neil Gorsuch is proving himself an even-tempered, deeply knowledgeable nominee who should be confirmed by the Senate."

The paper also noted that Judge Gorsuch is "[eminently] qualified" and that he "is coming across in the hearings as the very image of a thoughtful jurist. He displayed an impressive depth of knowledge, and admirable patience. And he's carefully followed past practice of judicial nominees in refusing to say how he'd rule on specific issues."

His independence is really without question at this point. The American Bar Association, which awarded Judge Gorsuch its highest rating of unanimously "well qualified," recently submitted testimony to the Judiciary Committee. Here is what the Bar Association had to say about Judge Gorsuch's independence:

Our evaluation process provided an excellent opportunity to gain a glimpse at whether Judge Gorsuch is a judge who ascribes to the concept of an independent judiciary. Based on the writings, interviews, and analyses we scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the independence of the judicial branch of government, and we predict that he will be a strong but respectful voice in protecting it.

The ABA went on:

As one interviewee noted with alacrity, "Judge Gorsuch has 'grit,' which he gets

from being a multi-generation Westerner." Another stated, "He is dedicated to the constitutional doctrine of separation of powers and to the independence of the judiciary." Yet another observed, "In addition to his outstanding academic credentials and brilliant mind, Judge Gorsuch's demeanor and written opinions during his tenure on the Tenth Circuit Court of Appeals demonstrate that he believes unwaveringly in the rule of law and judicial independence. In my opinion, he is exceptionally well qualified to serve as a justice of the Supreme Court of the United States." We agree.

I certainly agree with that. This is from the American Bar Association, an organization that the Democratic leader and former Democratic chairman of the Judiciary Committee have deemed the gold standard for evaluating nominees. In addition, the assistant Democratic leader acknowledged yesterday that Judge Gorsuch is "very gifted" and "has a great background and service as judge."

But despite the Judge's outstanding performance, his exceptional background, and the extensive support he has received from people of all political leanings, we know that some Senate Democrats will continue trying to come up with any reason to delay the confirmation process. It is not the first time we have seen our friends across the aisle engage in obstructionist tactics. In fact, we just saw a historic level of obstruction when it came to confirming the President's Cabinet.

We know that our colleagues are under a great deal of pressure from the far left. We know some of these groups are calling for them to "resist." We know that even more than 4 months after the election, some on the far left simply refuse to accept the outcome of last year's election.

Well, it is past time to move on from that mindset and return to the serious business of governing. One way we can do so is by confirming Judge Gorsuch as the next Supreme Court Justice without delay. He is a proven jurist. He is an outstanding intellect. He has earned the respect and admiration of so many—Democrats, Independents, and Republicans alike. He is also unquestionably independent.

Today we will hear even more praise for Judge Gorsuch as witnesses come before the Judiciary Committee. I urge my colleagues to show him the fair consideration he deserves and, ultimately, to come together in supporting his nomination in the days ahead.

REPEALING AND REPLACING OBAMACARE

Mr. MCCONNELL. Mr. President, today marks the seventh anniversary of ObamaCare becoming law. In the years since, millions of Americans lost their plans and their doctors. They saw the cost of their premiums and deductibles soar. They watched their choices disappear as insurers were forced out of the marketplace. Former President Bill Clinton called ObamaCare the "craziest thing in the

world." He was right. It was a direct attack on the middle class. These failed policies are affecting real people every day. Americans expected the law to deliver on its promises, but instead they have paid more and received less. ObamaCare has been a flawed system from the start. Over the past 7 years, things have gotten progressively worse.

Our Nation cannot continue on this trajectory as ObamaCare continues to unravel at every level, leaving Americans to pick up the pieces. On this seventh anniversary of ObamaCare's enactment, Americans deserve a better way forward. Thankfully, we finally have a Congress and a President who are committed to delivering much needed reform.

The legislation currently before the House will help bring relief. It will repeal and replace ObamaCare, which is exactly what we promised the American people we would do. Instead of forcing Americans to buy something they may not want, like ObamaCare does, this bill gives Americans the freedom to choose what type of coverage is right for them.

I look forward to the House passing that bill soon, and we look forward to taking it up in the Senate, where there will be a robust amendment process. Then, I look forward to collaborating with my colleagues to pass it. It is important, however, to remember that this bill is only one part of a three-pronged strategy to bring relief. The administration is already working to fix the damage 7 years of ObamaCare has done to the health markets across the country, and we will continue to consider further legislation in Congress to bring more competition and reform.

It is time to move on from 7 years of ObamaCare's broken promises and unyielding attacks on the middle class. The status quo is not an option. So let's work together to get this done.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUB- MITTED BY THE FEDERAL COM- MUNICATIONS COMMISSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 34, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services."